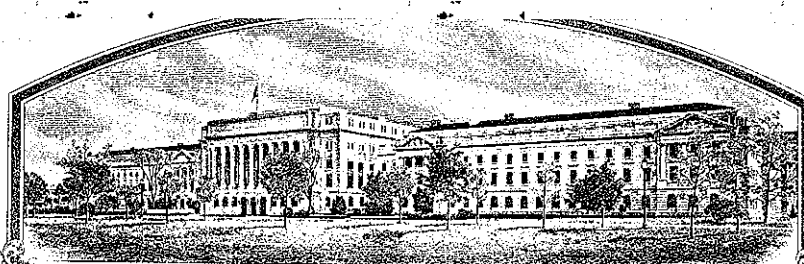


No.



8000006

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

John Bodger & Sons Co.

Whereas, THERE HAS BEEN PRESENTED TO THE
Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *seventeen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (U.S.C. 542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

MARIGOLD

'Ice Crush'



In Testimony Whereof, I have hereunto set
my hand and caused the seal of the Plant
Variety Protection Office to be affixed
at the City of Washington
this 31st day of July in
the year of our Lord one thousand nine
hundred and eighty.

Attest:

Bernard K. Kuse
Commissioner

Plant Variety Protection Office
Main Division
Agricultural Marketing Service

[Signature]
Secretary of Agriculture

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, POULTRY, GRAIN & SEED DIVISION

FORM APPROVED
OMB NO. 40-R3822

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: See Reverse.

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

1a. TEMPORARY DESIGNATION OF VARIETY 9M35 SIB		1b. VARIETY NAME ICE CRUSH		FOR OFFICIAL USE ONLY PV NUMBER 80000006	
2. KIND NAME MARIGOLD		3. GENUS AND SPECIES NAME TAGETES ERECTA		FILING DATE 11-6-79	TIME 4:00 P.M.
4. FAMILY NAME (BOTANICAL) COMPOSITAE		5. DATE OF DETERMINATION 7-14-78		FEE RECEIVED \$ 11-6-79 \$ 11-6-79 6/6/80	DATE \$250.00 250.00
6. NAME OF APPLICANT(S) JOHN BODGER & SONS CO.		7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) P. O. Box 5090 EL MONTE, CA 91734		8. TELEPHONE AREA CODE AND NUMBER (213) 442-6161	
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.) CORPORATION		10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION CALIFORNIA 2-7-1912		11. DATE OF INCORPORATION 2-7-1912	
12. NAME AND MAILING ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS: HOWARD BODGER P.O. BOX 5090 EL MONTE CA 91734					

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- ☒ 13A. Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)
- ☒ 13B. Exhibit B, Novelty Statement.
- ☒ 13C. Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)
- ☒ 13D. Exhibit D, Additional Description of the Variety.

14a. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a). (If "Yes," answer 14B and 14C below.)		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
14b. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input type="checkbox"/> NO	14c. IF "YES," TO 14B, HOW MANY GENERATIONS OF PRODUCTION BEYOND BREEDER SEED? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED		
15a. DID THE APPLICANT(S) FILE FOR PROTECTION OF THIS VARIETY IN OTHER COUNTRIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (If "Yes," give name of countries and dates.)			
15b. HAVE RIGHTS BEEN GRANTED THIS VARIETY IN OTHER COUNTRIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO (If "Yes," give name of countries and dates.)			

16. DOES THE APPLICANT(S) AGREE TO THE PUBLICATION OF HIS/HER (THEIR) NAME(S) AND ADDRESS IN THE OFFICIAL JOURNAL? ☒ YES ☐ NO

17. The applicant(s) declare(s) that a viable sample of basic seed of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

JOHN BODGER & SONS CO.

28 September 1979
(DATE)

Howard D. Bodger President
(SIGNATURE OF APPLICANT)

(DATE)

(SIGNATURE OF APPLICANT)

INSTRUCTIONS

GENERAL: Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$500 fee (\$250 filing fee and \$250 examination fee) to U.S. Dept. of Agriculture, Agricultural Marketing Service, Livestock, Poultry, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

ITEM

- 5 Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.

- 13a Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.

- 13b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.

- 13c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.

- 13d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as, plant habit, plant color, disease resistance, etc.

- 14a If "YES" is specified (seed of this variety be sold by variety name only as a class of certified seed) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "NO," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)

- 15a See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.

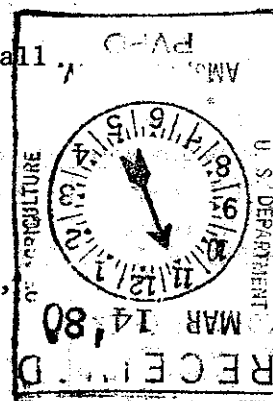
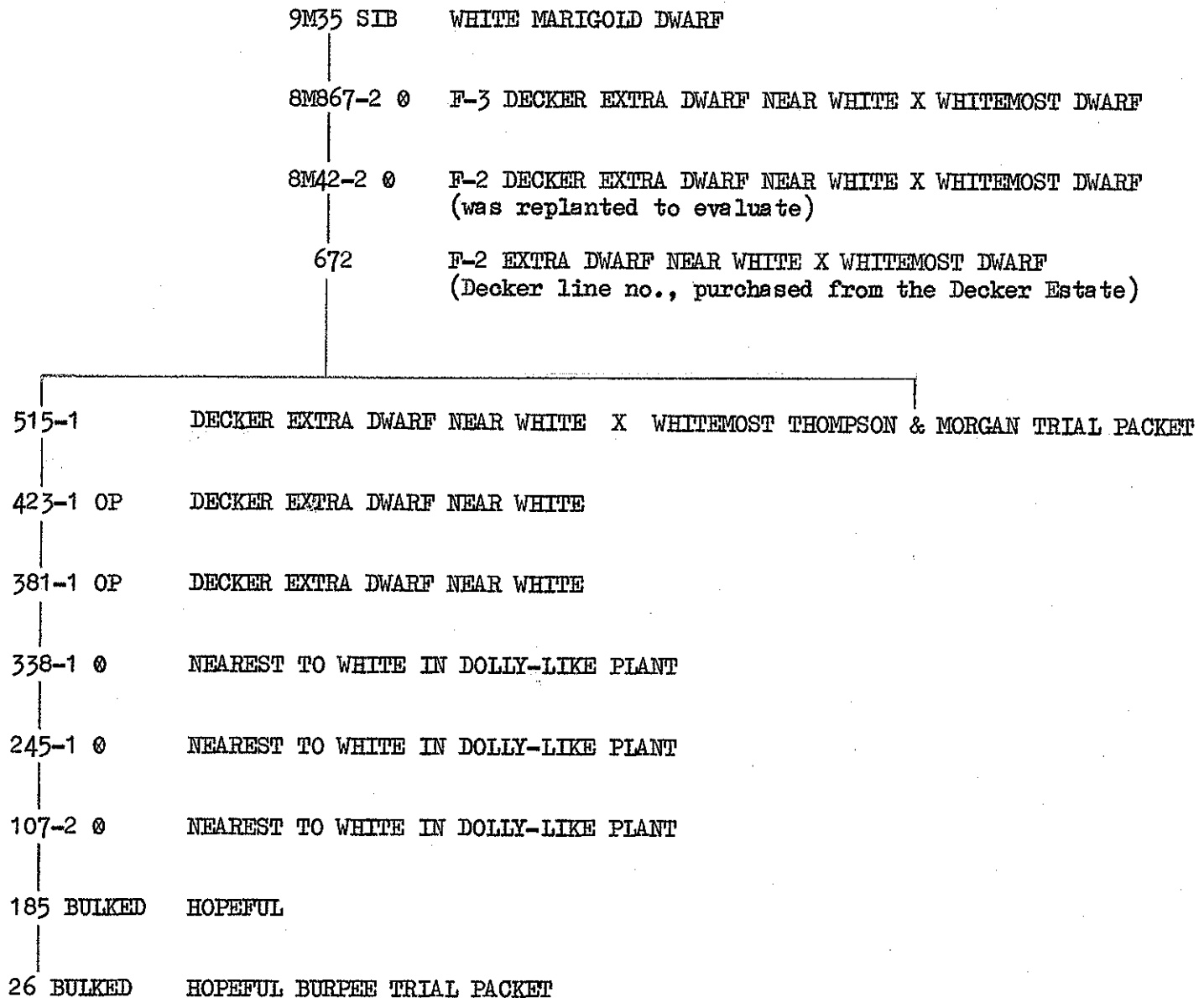


EXHIBIT A

8000006



12 A

EXHIBIT A

80000006

See enclosed seed sampler of Badger's White Dwarf (Ice Crush)

To date no variants have occurred during the reproduction and multiplication by sib matings of the selected line. A total of 400 plants observed during multiplication have shown no variants. If variants were to occur they would probably be taller plants, single flowers instead of semi-double and primrose flower color instead of white. The variety can be considered stable as from 400 plants we have not had a variant. See enclosed pedigree for genealogy, breeding method and selection method.

After maturity the Burpee's First White plant stems showed red pigmentation. The PHB color chart reading for the stylized color as Ice Crush was 137-B and for Burpee's First White, 146-B. One month after seeding, the average height for Ice Crush was 4 cm and the internode length was 1 cm while Burpee's First White was 8 cm and 2 cm, respectively.

Anthesis of first flower occurred after 58 days for Burpee's First White, and after 61 days for Ice Crush, from a 3-7-79 sowing date. Both varieties had carnation-type flowers which opened as a light primrose-yellow and faded to white as flowers matured. The flower was bilaterally symmetrical, with an average diameter of 5 to 6 cm for Ice Crush, while Burpee's First White flower was 7 to 8 cm in diameter, and unilaterally symmetrical. (See silhouette exhibit.) Ice Crush has a ruffled ray petal, whereas Burpee's First White has a flat ray petal. On plants of Burpee's First White the secondary flowers cover over the primary flower, while on plants of Ice Crush they are either the same height or shorter, producing a wounded effect. (See enclosed slide for plant habit of Ice Crush.)

JOHN BODGER & SONS CO.

P.O. BOX 390, EL MONTE, CALIFORNIA 91734 • (213) 442-6161

HOWARD BODGER, PRESIDENT

February 11, 1980

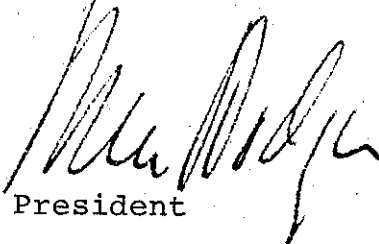
Mr. Robert J. Snyder
Examiner
Plant Variety Protection Office
USDA - Agricultural Marketing Svc.
Beltsville, MD 20705

Dear Mr. Snyder:

This letter is an addendum to Exhibit B of our Marigold application #8000006, and will certify that the variety for which we are applying for protection, namely, Marigold Ice Crush, is most similar to the variety, Burpee's First Whites, (with an "s" on the Whites.) To our knowledge and belief, there is no other "white" Marigold on the market which is more similar to Ice Crush than Burpee's First Whites.

Yours cordially,

JOHN BODGER & SONS CO.



President

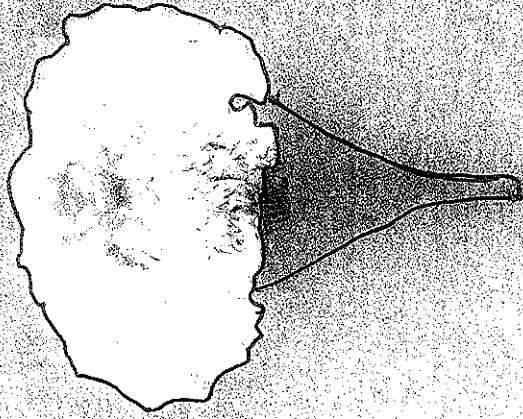
Howard Bodger
HSB/ale

0000006

FLOWER SILHOUETTE

EXHIBIT B

8000005



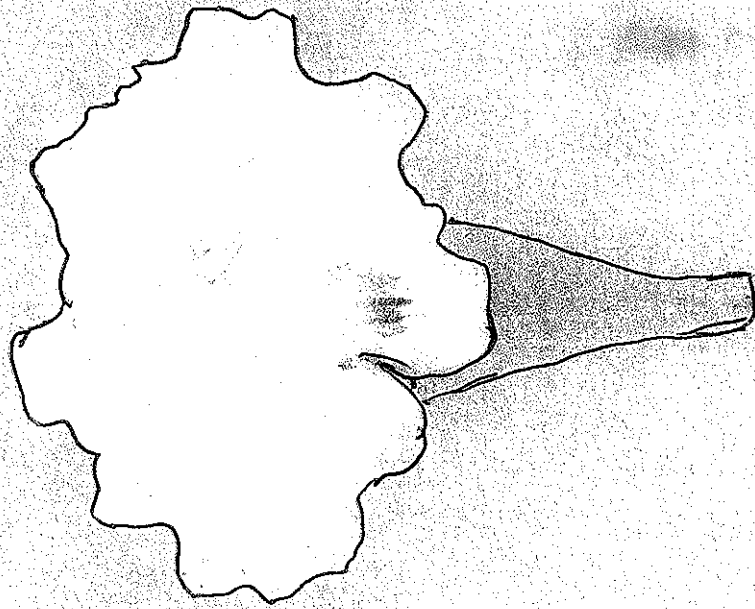
BODGER'S

WHITE MARIGOLD DWARF

8000006

FLOWER SILHOUETTE

EXHIBIT B



BURPEE'S

MARIGOLD FIRST WHITES

8000006

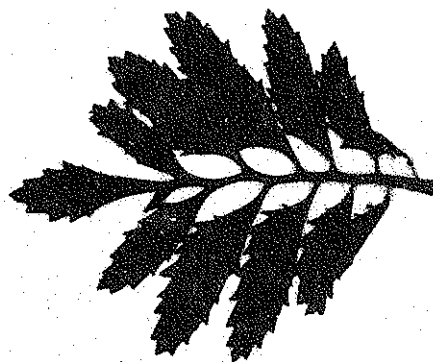
EXHIBIT B

LEAF SILHOUETTE



BURPEE'S

MARIGOLD FIRST WHITES



BODGER'S

WHITE MARIGOLD DWARF

OBJECTIVE DESCRIPTION OF VARIETY
MARIGOLD (TAGETE)

INSTRUCTIONS - See Reverse.

NAME OF APPLICANT(S) JOHN BODGER & SONS CO.	FOR OFFICIAL USE ONLY
ADDRESS (Street and No., or R.F.D. No.; City, State, and ZIP Code) P. O. BOX 5090 EL MONTE, CA 91734	PVPO NUMBER 8000006
	VARIETY NAME OR TEMPORARY DESIGNATION ICE CRUSH

Place the appropriate number that describes the varietal character of this variety in the boxes below.

Place a zero in first box (e.g., 0 8 9) or 0 8) when number is either 99 or less or 9 or less.

1. SPECIES TYPE:

- 1 = ERECTA (African) 2 = PATULA (French) 3 = TENUIFOLIA (Signata) 4 = LUCIDA (Sweet)
1 5 = OTHER (Specify) _____

2. PLOIDY:

- 1 1 = DIPLOID (n = _____) 2 = TRIPLOID (n = _____) 3 = TETRAPLOID (n = _____)

3. PLANT TYPE/HABIT:

- 2 1 = EXTRA DWARF (Miniature, petite) < 20 CM. 2 = DWARF 25- 35 CM. 3 = SEMIDWARF 40-55 CM. 4 = TALL > 60 CM.
1 1 = ERECT 2 = SEMIERECT 3 = DECUMBENT
1 1 = COMPACT 2 = LAX
1 Flowering: 1 = LONG SEASON 2 = SHORT SEASON

4. LEAF (Middle of first flowering branch):

- 2 Type: 1 = SIMPLE 2 = COMPOUND
3 Leaflet: 1 = OVATE 2 = LANCEOLATE 3 = ELLIPTIC 4 = FILIFORM
3 Margin: 1 = ENTIRE 2 = CRENATE 3 = SERRATE 4 = DENTATE 5 = INCISED
0 1 4 CM. LONG 9 0 MM. WIDE 1 Anthocyanin pigment in petioles: 1 = ABSENT 2 = PRESENT
1 Glands: 1 = PUNCTATE 2 = LARGE DOTS 2 Glands: 1 = BASAL 2 = APICAL
4 Odor: 1 = NONE 2 = MILD FRAGRANCE 3 = STRONG FRAGRANCE 4 = MILD "MARIGOLD" 5 = STRONG "MARIGOLD"

5. STEM:

- 1 1 = STRAIGHT 2 = ZIGZAG 2 1 = BRITTLE 2 = FLEXIBLE
1 Anthocyanin: 1 = ABSENT 2 = ALONG VEINS ONLY 1 8 CM. FROM BASE OF STEM TO INVOLUCRE OF TERMINAL FLOWER
3 = SOLID COLORATION
1 4 CM. FROM BASE OF MAIN STEM TO AXIL OF TOP BRANCH 0 4 CM. FROM AXIL OF TOP BRANCH TO INVOLUCRE OF TERMINAL FLOWER
0 9 NO. OF INTERNODES BELOW FIRST BRANCH 2 2 NO. OF FIRST ORDER BRANCHES (from main stem)

6. FLOWER:

- 1 Type: 1 = CARNATION 2 = CHRYSANTHEMUM 3 = OTHER
2 1 = SINGLES 2 = DOUBLES Semi-doubles
3 Silhouette: 1 = FLATTENED 2 = ROSETTE 3 = GLOBULAR
4 Odor: 1 = NONE 2 = MILD FRAGRANCE 3 = STRONG FRAGRANCE 4 = MILD "MARIGOLD" 5 = STRONG "MARIGOLD"

6. FLOWER: (Continued)

☐ 3 Ray: 1 = FLATTENED 2 = CURLED/TWISTED (*Fantastic*) 3 = Ruffled 8000006

☐ 1 Apices: 1 = ENTIRE 2 = LOBED 3 = NOTCHED

☐ 1 SURFACE - Dorsal: }
☐ 2 SURFACE - Ventral: } 1 = GLABROUS 2 = PUBESCENT 3 = PUBESCENT ON APICE ONLY

☐ 2 LUSTER - Dorsal: }
☐ 1 LUSTER - Ventral: } 1 = SHINY 2 = DULL

☐ 1 PATTERN - Dorsal: 1 = SOLID 2 = SPOTTED 3 = STRIPED

☐ 1 PATTERN - Ventral: 4 = PICOTEE 5 = OTHER (*Specify*)

☐ 1 Color: 1 = SOLID 2 = BICOLOR (*Specify colors*): Primary WHITE Secondary _____
 State color standards used: _____

SIZE (Use outer row of first matured flower): ☐ 2 ☐ 8 MM. LONG ☐ 1 ☐ 2 MM. WIDE

☐ 3 Disc: 1 = ABSENT 2 = PRESENT, COVERED 3 = PRESENT, UNCOVERED

☐ 1 Type: 1 = NOT QUILLED 2 = QUILLED

7. DISEASE RESISTANCE (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

☐ 0 ROOT-ROT (*Phytophthora*) ☐ 1 VIRUS YELLOWS
☐ 0 GREY MOLD (*Botrytis*) ☐ 0 FUSARIUM WILT
☐ 0 STEM ROT (*Sclerotinia*) ☐ 0 WITCHES BROOM

8. INDICATE A VARIETY THAT MOST NEARLY RESEMBLE THAT SUBMITTED

CHARACTER	VARIETY	CHARACTER	VARIETY
Plant shape	Pineapple Crush	Flower size	Burpee's First Whites
Plant size	Pineapple Crush	Flower shape	Burpee's First Whites
Foliage	Pineapple Crush	Flower color	Burpee's First Whites

INSTRUCTIONS

REFERENCES: The following publications may be used as a reference aid for completing this form:

- (a) Bailey, L. H., 1949, Manual of Cultivated Plants, MacMillan.
 (b) Royal Horticulture Society, 1965, Dictionary of Gardening, Oxford.
 (c) Wyman, Donald, 1971, Wyman's Gardening Encyclopedia, MacMillan.

COLOR: Nickerson's or any recognized color fan may be used to determine the colors.

R/S 1/8/80

Novelty is based on the compact growth habit of the plant with white flowers as there are no other dwarf compact marigolds with white flowers. All other white flowered marigolds are much taller in height and more spreading in width than Ice Crush. It also has darker green foliage than other white varieties. It has shown more tolerance to smog than other white marigolds under field and greenhouse conditions at Chino, California.



United States Department of Agriculture

January 21, 1998

Research, Education, and Economics
Agricultural Research Service

Marian R. Minnifield
Secretary
Plant Variety Protection Office
NAL Building, Room 500
10301 Baltimore Boulevard
Beltsville, Maryland 20705-2351

Subj: Expired PVPO's; disposition of

1. The following expired PVPO's have been transferred to the NPGS. Our records have been changed accordingly.

<u>Serial Number</u>		<u>PVP Number</u>	<u>EXPIRED</u>
107423	01	7900099	01/02/1997
107424	01	7800077	01/02/1997
107425	01	7900062	01/02/1997
107428	01	7900095	01/02/1997
107429	01	7700092	01/02/1997
108309	01	7900116	01/29/1997
108310	01	7900117	01/29/1997
108311	01	7900087	01/29/1997
108312	01	7800080	01/29/1997
108313	01	7800020	01/29/1997
109381	01	7900113	03/27/1997
109382	01	7900030	03/27/1997
109383	01	7900102	03/27/1997
109384	01	7900063	03/11/1997
109386	01	7300068	03/11/1997
109387	01	7900120	02/26/1997
109388	01	7700028	02/26/1997
109389	01	7700112	02/26/1997
109390	01	7900040	03/11/1997
109791	01	7800071	02/26/1997
110210	01	8000058	05/15/1997
110211	01	7800103	05/01/1997
110212	02	8000001	05/01/1997
110213	01	7800001	05/01/1997



Northern Plains Area • National Seed Storage Laboratory
1111 South Mason Street • Ft. Collins, CO 80521-4500
Voice: 970 495-3200 • Fax: 970 221-1427
An Equal Opportunity Employer

110214	02	7200105	04/24/1997
110215	01	8000022	04/24/1997
110216	01	7900060	05/01/1997
110217	01	7900084	05/01/1997
110218	01	8000071	05/15/1997
110219	01	7900101	05/01/1997
110220	01	8000043	05/15/1997
110221	01	8000015	05/15/1997
110222	01	7900111	05/15/1997
110223	01	7900110	05/15/1997
110227	01	7900106	05/15/1997
110228	01	7900071	04/24/1997
110229	01	7900100	05/01/1997
110230	01	7900075	05/01/1997
110231	01	7900108	04/24/1997
110236	01	8000053	05/29/1997
110239	01	7900098	05/29/1997
110240	01	7900006	05/29/1997
110263	01	7900042	06/05/1997
110264	01	8000048	06/05/1997
110265	01	8000063	06/05/1997
110266	01	8000012	06/05/1997
110267	01	8000049	06/05/1997
110268	01	7800092	06/05/1997
112329	01	8000045	06/19/1997
112330	01	7900088	07/10/1997
112331	01	8000044	07/10/1997
112332	01	7800079	06/19/1997
112333	01	7900074	06/26/1997
112334	01	8000061	06/19/1997
112335	01	7700016	07/10/1997
112336	01	7700017	07/10/1997
112337	01	7900105	06/26/1997
112338	01	7900089	06/19/1997
112339	01	7900072	06/19/1997
112342	01	7900090	06/26/1997
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112344	01	8000072	06/19/1997
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112351	01	8000006	07/31/1997

112352	01	8000027	07/31/1997
112353	01	8000024	07/31/1997
112354	01	8000076	07/31/1997
112355	01	8000025	07/31/1997
112356	01	8000062	07/31/1997
112357	01	8000102	07/31/1997
112360	01	8000023	07/31/1997
112361	01	7900078	07/31/1997
112362	01	8000093	07/31/1997
112363	01	8000020	07/31/1997
112364	01	7800019	07/31/1997
112365	01	7900079	07/31/1997
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113488	01	8000033	09/11/1997
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113490	01	7900022	09/11/1997
113491	01	8000090	09/11/1997
113492	01	8000105	09/11/1997
113493	01	7900056	09/11/1997
113494	01	7900057	09/11/1997
113495	01	8000096	09/11/1997
113498	01	8000099	09/11/1997
113499	02	7900082	09/11/1997
113500	01	7500083	09/11/1997
113501	01	8000013	09/11/1997
113502	01	7900083	09/11/1997
113503	01	7300090	09/11/1997
114293	01	8000130	10/16/1997
114597	01	7900104	10/16/1997
114598	01	8000077	10/16/1997
114599	01	8000111	10/16/1997
114600	01	8000011	10/16/1997
114601	01	8000134	10/16/1997
169608	01	8100103	07/15/1997

Sincerely,



Eugene D. Keys
Computer Assistant
Data Management